

HOUSE BILL No. 1958

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-12-74.

Synopsis: Broadcast of intercollegiate athletic competitions. Prohibits a state educational institution from entering into a contract for the broadcast of an intercollegiate athletic competition involving athletes enrolled at the institution if the broadcast is not generally available throughout Indiana. Allows an individual resident of Indiana to file an action in court to determine if a contract violates the statute. Provides that if the court finds a contract violates the statute, the state educational institution must pay all monetary consideration received from the contract to the auditor of state for deposit in the common school fund.

Effective: July 1, 1999.

Friend

January 26, 1999, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.



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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1958

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-12-74 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1999]:

4 **Chapter 74. Broadcast of Intercollegiate Athletic Competitions**

5 **Sec. 1. This chapter does not apply to a contract entered into**
6 **before July 1, 1999.**

7 **Sec. 2. As used in this chapter, "athletic competition" refers to**
8 **an intercollegiate athletic competition involving athletes enrolled**
9 **as students at a state educational institution.**

10 **Sec. 3. As used in this chapter, "broadcast" means transmission**
11 **of:**

12 (1) an audio account; or

13 (2) visual images, with or without an audio account;
14 of an athletic competition, either live or recorded, by any
15 communications medium other than print media.

16 **Sec. 4. As used in this chapter, "contract" refers to a contract**
17 **granting rights to the broadcast of an athletic competition.**

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IN 1958—LS 7196/DI 75+



1 **Sec. 5.** As used in this chapter, "state educational institution"
2 has the meaning set forth in IC 20-12-0.5-1.

3 **Sec. 6. (a)** A state educational institution may not enter into a
4 contract unless the contract requires the broadcast to be available
5 generally throughout Indiana.

6 **(b)** A broadcast is considered to be available generally
7 throughout Indiana if any of the following apply:

8 **(1)** If the broadcast is transmitted without charge by radio or
9 on television, the broadcast is available in all radio or
10 television markets in Indiana.

11 **(2)** If the broadcast is transmitted by a medium other than as
12 described in subdivision (1), the broadcast is available to all
13 subscribers to the medium in Indiana without any additional
14 cost to a subscriber.

15 **Sec. 7.** An individual resident of Indiana may file an action in a
16 court of jurisdiction in the county in which the individual resides
17 to determine whether a contract violates section 6 of this chapter.

18 **Sec. 8.** If the court finds that a contract violates section 6 of this
19 chapter, the court shall order the state educational institution to
20 pay all money received by the state educational institution as
21 consideration for the contract to the auditor of state.

22 **Sec. 9.** The auditor of state shall deposit money received under
23 section 8 of this chapter in the common school fund.

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